

Senator Fly offered the following amendment to the committee amendment:

Amend Section 1 of Committee Amendment No. 1 of S. J. R. No. 1 by striking out the first sentence of said section and inserting in lieu thereof the following:

"There is hereby created, as an agency of the State of Texas, the Texas Water Development Board to exercise such powers as necessary under this provision together with such other duties and restrictions as may be prescribed by law. The qualifications, compensation, and number of members of said Board shall be determined by law. They shall be appointed by the Governor with the advice and consent of the Senate in the manner and for such terms as may be prescribed by law; provided however, that the Board herein created shall be the same as the Board created by H. J. R. 3 should both amendments become effective."

The amendment to the committee amendment was adopted.

Senator Fly offered the following amendment to the committee amendment:

Amend Section 1 of Committee Amendment No. 1 of S. J. R. 1 by striking out the following language: "there is hereby appropriated out of the first moneys coming into the Treasury in each fiscal year, not otherwise appropriated by this Constitution" and inserting in lieu of such language the following:

"the Legislature shall appropriate"

The amendment to the committee amendment was adopted.

Question — Shall the committee amendment to S. J. R. No. 1 be adopted?

Vote on House Concurrent Resolution 87 Reconsidered

On motion of Senator Rogers and by unanimous consent the vote by which H. C. R. No. 87 was adopted on yesterday was reconsidered.

The President then laid H. C. R. No. 87 before the Senate for consideration.

Senator Rogers offered the following amendment to the resolution:

Amend H. C. R. No. 87 by chang-

ing the word "reappropriation" to "reappropriated" and the word "appropriation" to "appropriated" wherever they occur in the resolution.

The amendment was adopted.

The resolution as amended was then adopted.

Conference Committee on Senate Bill 154

The President announced the appointment of the following as a Conference Committee on the part of the Senate on S. B. No. 154:

Senators Martin, Moffett, Lane, Hardeman and Ashley.

Adjournment

On motion of Senator Hardeman the Senate at 5:28 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

FIFTY-FIFTH DAY

(Wednesday, April 17, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Bracewell submitted the following reports:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee in Insurance, to whom was referred S. B. No. 438, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BRACEWELL, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 256, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 265, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 452, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 26, have had the same under consideration, and we are instructed

to report it back to the Senate with the consideration that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 62, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 533, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 258, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 88, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B.

No. 553, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 449, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Moore submitted the following reports:

Austin, Texas,
April 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 696, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
April 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 368, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

MOORE, Chairman.

Senator Kazen submitted the following report:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 895, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KAZEN, Chairman.

Senator Owen submitted the following reports:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 878, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 659, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 843, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 738, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 836, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 660, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 736, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 874, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 467, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 762, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senate Resolution 385

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Government Class of the Normangee High School, Normangee, Texas, namely: Miss Jennie Aust, Miss Patsy Ann Martin, Miss Patsy N. Martin, Miss Mary Lou McGill, Miss Sandra Peters, Mr. Butchie Bennett, Mr. Earl Capps, Mr. Morris Carter, Mr. Sonny Greer, Mr. Bobby Mansel, Mr. Curtis Mansel, Mr. Richard McGill, Mr. Ted Novasod, Mr. Pete Plotts, Mr. Bobby Tubbs, Mr. Mike O. Wester, Mr. Louis Westmoreland, accompanied by their teacher, Mr. Herman Poteet, and Reverend Jack Wester, and Mr. Claude Roberts; and

Whereas, These students and guests are seeking to broaden their education by a visit to the State Capitol, State institutions and other places of interest in the Capitol City; and

Whereas, We are proud that these fine young American citizens are here to observe governmental processes in action; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented students, teacher and sponsors to the Members of the Senate.

Senate Resolution 386

Senator Moore offered the following resolution:

Whereas, We are honored today to

have in the gallery of the Senate, the Civics and Texas History class from A. and M. Consolidated High School, accompanied by their teachers, Mr. Jack Cheney and J. J. Skrivaneck; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Resolution 387

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery twenty-six (26) students from Abilene High School, Abilene Texas, accompanied by Mr. Vernon Spence, their teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn first-hand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students and Mr. Spence to the Members of the Senate.

Senate Resolution 388

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, members of the Junior and Senior Classes of Crescent High School in Crescent, Texas, accompanied by their teacher and sponsor, Mr. J. Roy Trant; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and Mr. Trant to the Members of the Senate.

Bills Signed

The President signed in the presence of the Senate after the caption had been read the following enrolled bills:

H. B. No. 162, A bill to be entitled "An Act amending Section 2 (1) of House Bill 611, being Chapter 562, Page 914, General and Special Laws of the State of Texas, 47th Legislature, Regular Session, 1941, and being codified in Vernon's Texas Civil Statutes as Section 2(1) of Article 695c, by adding a new section to be known as Subsection (1)a; changing the title of the office of 'Executive Director' created in Section 2(1) of this Act to 'Commissioner of Public Welfare'; defining duties; and providing a repealing clause, a saving clause; and declaring an emergency."

H. B. No. 220, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in Falls and Limestone counties; amending Section 1 of Chapter 125, Acts of 52nd Legislature, 1951, as amended, so as to make that Act applicable to Falls and Limestone Counties, and further amending the said Chapter 125 and Section 1 thereof by transferring certain portions of Section 1

into a new section designated as Section 1a; repealing certain laws and fixing the effective date of the repeal; providing for severability; and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act authorizing the State Department of Health to provide Planning Assistance for Municipalities of 25,000 population or less and to accept grants therefor under the provisions of the Federal Housing Act of 1954 or from other sources; and declaring an emergency."

H. B. No. 441, A bill to be entitled "An Act granting to teachers and auxiliary employees who waived membership in the Teacher Retirement System of Texas the privilege of receiving full former service credit toward retirement upon compliance with certain conditions; amending Section 4, Subsection 5, Paragraph (a) of Chapter 470, Acts of the 45th Legislature, as amended; and declaring an emergency."

H. B. No. 449, A bill to be entitled "An Act granting to State employees who terminated membership in the Employees Retirement System of Texas prior to February 1, 1953, and withdrew their accumulated deposits, the privilege of redepositing such funds and receiving credit for prior service, under certain conditions and limitations; and declaring an emergency."

H. B. No. 641, A bill to be entitled "An Act relating to Harris County Houston Ship Channel Navigation District of Harris County, Texas: (a) authorizing said District to acquire, purchase, enlarge, extend, repair, maintain, operate, or develop certain improvements and facilities; authorizing the Board of Navigation and Canal Commissioners of said District to prescribe fees and charges for the use of the improvements and facilities of the District and providing for the use and disposition of the revenues produced thereby; authorizing the issuance by said Board of obligations of the District payable solely out of said revenues and containing provisions relating to said revenues and to be said obligations and the issuance thereof and to said improvements and facilities; and declaring an emergency."

(President Pro Tempore in Chair.)

Senate Resolution 389

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, 180 students of the Civics Class of New Braunfels High School from New Braunfels, Comal County, Texas, accompanied by their teachers and sponsors, Ray Rohlyer and Clarence Stark; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students, teacher and sponsor to the Members of the Senate.

Senate Resolution 390

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, members of the Texas History Class of El Campo High School, accompanied by their teacher and sponsor, Mr. Charles E. Hudson and Mr. John Petty; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their state government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students, Mr. Petty and Mr. Hudson to the Members of the Senate.

Senate Resolution 391

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, Junior and Senior classes of the Texas School for the Blind in Austin, Travis County, Texas, accompanied by their teacher Mrs. L. H. Hancock and their principal F. G. Tacquard; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to their classes in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students, Mrs. Hancock and Mr. Tacquard to the Members of the Senate.

Senate Resolution 392

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the American History Class of the Grapeland High School, Grapeland, Houston County, Texas, namely: Miss Sereta Baker, Miss Patsy Graham, Mrs. Emma Lee Herod, Miss Ruth Ann Ivey, Miss Ann McKown, Miss Pauline Nanse, Miss Margaret Richards, Miss Linda Yates, Mr. Duane Baker, Mr. Johnny Davis, Mr. Jerry Ellis, Mr. W. Leo Gentry, Mr. Buel Grigsby, Mr. Carlton Mitchell, Mr. Dawson Schultz, Mr. Robbie Woods, accompanied by their Superintendent, Mr. J. O. McKenzie; and

Whereas, These students and guests are seeking to broaden their education by a visit to the State Capitol,

State institutions and other places of interest in the Capital City; and

Whereas, We are proud that these fine young American citizens are here to observe governmental processes in action; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the students and Mr. McKenzie to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 43, Dedicating and granting to the City of Austin certain tracts of land.

H. B. No. 212, A bill to be entitled "An Act providing for a universal jury wheel in each county, regardless of population, or number of district courts holding sessions therein; amending Articles 2094, V. A. C. S., et seq.; and repealing all laws, parts of laws, and rules of practice in conflict herewith; containing a saving clause and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act amending Chapter 401, Acts of the 52nd Legislature, Regular Session, 1951, codified in Vernon's as Article 3902j Vernon's Civil Statutes providing additional compensation for deputy sheriffs so as to make its provisions applicable to deputies, assistants and clerks of any district, county or precinct officer; providing a severability clause and declaring an emergency."

The House has concurred in Senate amendments to H. C. R. No. 87 by viva voce vote.

Engrossed Rider to be attached to H. B. No. 65.

H. B. No. 187, A bill to be entitled

"An Act dealing with weight limits of motor vehicles and combinations thereof, amending Section 5 of Chapter 42, Second Called Session, 41st Legislature, as heretofore amended; amending Section 5 of Chapter 71, Acts Regular Session, 47th Legislature, as heretofore amended; providing penalties for violation of weight limits; providing that laws authorizing special permits shall not be affected hereby except as to penalties for violation of terms of special permits; providing that violation of terms of special permits shall not automatically render them void or inapplicable; providing that violation of one provision of a special permit shall not make the holder guilty per se of the violation of another provision thereof; providing that neither Section 14, Chapter 146, Regular Session, 52nd Legislature, nor H. B. 11, Acts 52nd Legislature, Regular Session, nor Section 1 of Chapter 109, Acts Regular Session, 54th Legislature, shall be repealed, modified or altered by this Act; repealing Section 2 of Chapter 146, Acts Regular Session, 52nd Legislature; providing a savings clause; and declaring an emergency."

(With engrossed rider.)

H. C. R. No. 3, Requesting the Texas Legislative Council to make an investigation of the small loan business in Texas.

H. C. R. No. 39, Granting Duval Sulphur and Potash Company permission to sue the State.

H. C. R. No. 42, Granting permission to James Leslie Joyner and wife, Mary Louise Reeves Joyner, to sue the State of Texas and State Highway Department.

The House has concurred in Senate amendments to House Bill No. 188 by a voice vote.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 393

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior American Government Class of Uvalde High School accompanied by their teacher, Mrs. Bertie Chinn; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley by unanimous consent presented the students and Mrs. Chinn to the Members of the Senate.

House Bill 736 Ordered Not Printed

On motion of Senator Fuller and by unanimous consent H. B. No. 736 was ordered not printed.

Bill Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read the following enrolled bill:

S. B. No. 110, A bill to be entitled "An Act amending Acts 1929, Forty-first Legislature, Second Called Session, Page 172, Chapter 88, Section 2, as amended (Article 6675a-2, Vernon's Civil Statutes, as amended) so as to exempt machinery used solely for the purpose of constructing, reconstructing and repairing public roads and highways from the provisions of said Act; providing a severability clause; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

(President in the Chair.)

House Bill 577 Re-referred

On motion of Senator Moore and by unanimous consent H. B. No. 577 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Game and Fish.

Reports of Standing Committee

Senator Kazen by unanimous consent submitted the following reports:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 623, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 577, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated.

H. B. No. 50, To the Committee on Jurisprudence.

H. B. No. 430, To the Committee on Counties, Cities and Towns.

H. B. No. 187, To the Committee on Transportation.

H. C. R. No. 39, To the Committee on Jurisprudence.

H. C. R. No. 42, To the Committee on Jurisprudence.

H. B. No. 63, To the Committee on Transportation.

H. B. No. 18, To the Committee on Transportation.

H. B. No. 229, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 179, To the Committee on State Affairs.

H. B. No. 212, To the Committee on Jurisprudence.

H. B. No. 65, To the Committee on Education.

H. B. No. 93, To the Committee on State Affairs.

House Bill 878 Ordered Not Printed

On motion of Senator Smith and by unanimous consent H. B. No. 878 was ordered not printed.

Minority Report on Senate Bill 227 Substituted for Majority Report

Senator Phillips moved that the Minority Committee Report on S. B. No. 227 be substituted for the Majority Report and that S. B. No. 227 be printed.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Lock	Willis
Moffett	

Nays—6

Fly	Lane
Hardeman	Martin
Krueger	Weinert

Paired

Senator Wood (present) who would vote Nay; Senator Hudson (absent) who would vote Yea.

Recess

On motion of Senator Hardeman the Senate at 11:59 o'clock a.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

Report of Standing Committee

Senator Roberts by unanimous consent submitted the following report:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Mili-

tary and Veterans Affairs, to whom was referred H. B. No. 527, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

House Concurrent Resolutions on First Reading

The following House Concurrent Resolutions received from the House, were read the first time and referred to the Committees indicated:

H. C. R. No. 43, To the Committee on Jurisprudence.

H. C. R. No. 73, To the Committee on Jurisprudence.

H. C. R. No. 77, To the Committee on Jurisprudence.

H. C. R. No. 80, To the Committee on Jurisprudence.

H. C. R. No. 46, To the Committee on Jurisprudence.

H. C. R. No. 49, To the Committee on Jurisprudence.

H. C. R. No. 50, To the Committee on Jurisprudence.

H. C. R. No. 3, To the Committee on Jurisprudence.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 904, A bill to be entitled "An Act creating a Conservation and Reclamation District to be known as the 'Metropolitan Sanitary Sewer District of South Jefferson County'; said District to be comprised of the Cities of Port Arthur and Groves, and by the Towns of Griffing Park and Lakeview; and providing that the District shall collect and treat sanitary and industrial sewage created by the Member Municipalities of the District in order to prevent sewage pollution of the public waters and other waters within the District; and authorizing the issuance of bonds of the District se-

cured by either the taxes, or revenues of the District, or both; enacting other provisions relating to this subject; containing a severability provision; and declaring an emergency."

H. B. No. 375, A bill to be entitled "An Act relating to gifts of securities and money to minors and to make uniform the law with reference thereto."

H. B. No. 448, A bill to be entitled "An Act amending Article 5115, Revised Civil Statutes of 1925, requiring commissioners' courts to provide suitable jails in their respective counties; defining the term "suitable jails"; providing that this act shall apply to all jails hereafter constructed and to existing jails two years from its effective date; providing for enforcement, penalty for failure to comply and declaring an emergency."

H. B. No. 498, A bill to be entitled "An Act to amend Article 2135 of the Revised Civil Statutes of Texas, 1925, as last amended by Acts of the 54th Legislature, Chapter 288, Section 2, by providing certain additional exemptions from jury service; and declaring an emergency."

H. B. No. 541, A bill to be entitled "An Act concerning traffic signs, authorizing the State Highway Department and local authorities in their respective jurisdiction, to erect yield right-of-way signs for intersections of highways and streets, and providing for a penalty for violating such signs and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act authorizing Junior College Districts to issue refunding bonds; prescribing the method of issuing such bonds and prescribing certain limitations upon the right to issue them; permitting approval thereof by the Attorney General and permitting registration by the Comptroller of Public Accounts and prescribing the effect of such approval and registration; providing the law shall be cumulative of other laws providing for refunding; and declaring an emergency."

H. B. No. 561, A bill to be entitled "An Act amending Chapter V, Title 16, of Texas Banking Code of 1943 by adding thereto a new article authorizing State banks to own or lease land in the vicinity of such bank for use as automobile parking area for

its customers and employees; repealing all conflicting laws; and declaring an emergency."

H. B. No. 329, A bill to be entitled "An Act providing a method of financing the operation of the Texas Commission on Alcoholism; amending Section 18 of Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

S. B. No. 340, A bill to be entitled "An Act providing for the creation of a Hospital District co-extensive with the incorporated limits of the City of Amarillo; providing for an election in the City of Amarillo to create such District and to assume hospital indebtedness; providing for the levy of taxes by the governing body of said city for hospital purposes; . . .; and declaring an emergency."

S. B. No. 343, A bill to be entitled "An Act to amend Article 2, of Subchapter 9, of Chapter 97, Page 164, of the Acts of the Regular Session of the 48th Legislature, 1943 (Article 342-902, Vernon's Annotated Civil Statutes), prohibiting the business of banking except by corporations; limiting the use of the word 'bank' and related names in advertising; providing for the continuation of the existence of private banks; prescribing penalties for violation by those doing a banking business other than a corporation authorized so to do or for improper advertising; providing a severability clause; repealing all other laws or parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 357, A bill to be entitled "An Act authorizing the Commissioners' Court of Hudspeth, Culberson and El Paso Counties to pay the District Judge of the 34th Judicial District compensation in addition to the compensation paid by the State; making other provisions relating thereto; providing a severability clause and declaring an emergency."

S. B. No. 431, A bill to be entitled "An Act validating Austin County Water Control and Improvement District No. 2 and declaring it to be a validly existing and operating conservation and reclamation District under Section 59, Article 16, Constitution of Texas; validating the area

and boundaries of the District, bond election, and proceedings in connection therewith; validating the bonds authorized at said election, and providing that said bonds when approved by the Attorney General, registered by the Comptroller, and delivered to the purchaser or purchasers, shall be incontestable; validating governmental proceedings and acts; finding and determining that the lands and other property within said District are, and will be, benefitted by the District and its improvements and facilities to be constructed and acquired; providing that the ad valorem basis or plan of taxation shall be used by the District and that it shall not be necessary to hold a hearing on the adoption of a plan of taxation; declaring that the District is essential to the accomplishment of the purposes of Section 59, Article 16, Constitution of Texas, and declaring the District to be governmental agency, body politic, and municipal corporation; providing a severability clause; and declaring an emergency."

S. B. No. 358, A bill to be entitled "An Act authorizing the Commissioners' Court of El Paso County to pay the District Judge of the 65th Judicial District compensation in addition to the compensation paid by the State; making other provisions relating thereto; providing a severability clause and declaring an emergency."

S. B. No. 359, A bill to be entitled "An Act authorizing the Commissioners' Court of El Paso County to pay the District Judge of the 41st Judicial District compensation in addition to the compensation paid by the State; making other provisions relating thereto; providing a severability clause and declaring an emergency."

S. B. No. 377, A bill to be entitled "An Act granting to the Willacy County Navigation District the power and authority to lease land; to sell land to governmental agencies; repealing all laws or parts of laws in conflict; and declaring an emergency."

S. B. No. 427, A bill to be entitled "An Act making it lawful to take rough fish by spear fishing methods or with bow and arrow in the public fresh waters of the State of Texas; defining rough fish; prohibiting possession of other fish when using such devices; and declaring an emergency."

S. B. No. 395, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59 of the Constitution, comprising certain territory contained in Henderson County, Texas, to be known as 'Athens Municipal Water Authority,' for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing, transporting, and distributing the same and providing plants and facilities for the collection, transportation, processing, disposal and control of all domestic, industrial and communal wastes; providing for a Board of Directors for the government of said Authority; authorizing the Authority to do all things necessary to the exercise of the powers herein granted; authorizing the issuance of bonds and providing for payment and security thereof; making applicable to the district Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain General Laws relating to Water Control and Improvement Districts; prescribing the other powers of the Authority; providing a saving clause; enacting other provisions relating to this subject; and declaring an emergency."

(With amendment.)

S. B. No. 430, A bill to be entitled "An Act to amend Chapter 286, Acts of the 54th Legislature, to provide a method of annexing territory and excluding land from the present boundaries of the Boling Municipal Water District; providing the procedure to preserve contract rights; providing a severance clause; and declaring an emergency."

S. B. No. 237, A bill to be entitled "An Act to amend Article 3930 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1945, 49th Legislature, Regular Session, Chapter 368, Page 662, Section 4, relating to fees which the clerks of the County Courts shall receive for their services; containing a repealing clause and a saving clause; and declaring an emergency."

(With amendment.)

S. B. No. 29, A bill to be entitled "An Act to amend Section 1 of Chapter 354, acts of the 53rd Legislature, Regular Session, 1953 (codified in Vernon's Civil Statutes of Texas as Article 7470) so as to add with certain qualifications the purpose of re-

charging of underground water reservoirs to those purposes for which the public waters of the State may be appropriated providing a savings clause; and declaring an emergency."

(With Amendment.)

S. B. No. 51, A bill to be entitled "An Act providing for the sale of pen-raised game birds; defining pen-raised game birds; providing for a commercial game bird breeder's license and fixing fee for same; providing for deposit of license fees; requiring each pen-raised game bird carcass to be marked for identification; prohibiting the sale of pen-raised game birds that have been killed by shooting; providing for exceptions; fixing a penalty for a violation of this Act; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act amending Sections 18 and 21 of Chapter 41, Acts of the 40th Legislature, First Called Session, as amended (Rules 51a and 54a, Article 4477, Vernon's Texas Civil Statutes), by increasing the fees for certified copies of vital records furnished by county clerks and the State Registrar of Vital Statistics and for searching the records of the State Bureau of Vital Statistics, by authorizing deposit of fees in the Vital Statistics Fund oftener than at the close of each month, and by providing for a refund of fees where the Bureau cannot render the service for which the fee was paid; and declaring an emergency."

S. B. No. 201, A bill to be entitled "An Act amending Chapter 96, General Laws of the 43rd Legislature, Regular Session (Article 978k, Vernon's Texas Penal Code), relating to propagation of game animals and game birds by licensed game breeders, by adding a new section permitting game breeders to utilize for personal purposes game birds owned by them; and declaring an emergency."

S. B. No. 335, A bill to be entitled "An Act detaching certain territory from Bexar County Water Control and Improvement District No. 13; redefining the boundaries thereof; validating, ratifying, confirming and approving the organizational proceedings and actions of the Board of Directors thereof, except the bond election and related proceedings; making

bonds of the District eligible for investments, and exempting the property and the bonds of the District from taxation; making bonds of the District incontestable; providing a saving clause; and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution of Texas, to be known as "The Lee County West Yegua Water Control and Improvement District No. 2"; prescribing its powers and duties and providing for a governing body thereof; making the District subject to the statutes relating to water control and improvement districts except as otherwise provided; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act Creating "Plum Creek Conservation District" under the provisions of Section 59, Article XVI of the Texas Constitution; prescribing the area and powers of the District; providing that hearing on exclusion of lands or on adoption of plan of taxation shall not be necessary; providing that the ad valorem plan of taxation shall be used by the District; providing for a Board of Directors to control and exercise the District's powers; authorizing the levy and assessment of taxes for improvements, maintenance, operation and administration of the District; authorizing the issuance of bonds in the accomplishment of the District's purposes, and making such bonds eligible for certain investments and to secure deposits of public funds; exempting the District's bonds from taxation; providing for a confirmation election; enacting a savings clause; declaring the District essential; enacting other provisions relating to the subject and purpose of this Act; and declaring an emergency."

S. B. No. 293, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers Colleges to execute and deliver to the State Highway Commission a right-of-way easement for the construction and maintenance of a U. S. Highway 75 by-pass loop extending along and across certain State property owned by the State of Texas for the use and benefit of Sam Houston State Teach-

ers College; and declaring an emergency."

S. B. No. 270, A bill to be entitled "An Act providing that any statement contained in any affidavit or in any other instrument which has been filed or recorded or both in the office of the County Clerk of the county within which the property affected thereby is situated for five years or more or in the office of the County Clerk of any other county in the State of Texas or in the office of any officer or agency of the State of Texas for fifteen years or more, and any finding of fact or adjudication contained in a judgment of any court of record which concerns any family history or shows who were the legal heirs of any deceased person, shall be received in any suit as prima facie evidence of the family history and the legal heirship of any deceased person so stated, found or adjudicated, provided the original instrument, or a certified copy thereof, or a certified copy of an original record thereof, containing such statement, finding of fact or adjudication be filed among the papers in such suit and notices of such filing be given to all parties in such suit or their attorneys of record therein, at least thirty days before the trial thereof, but, if there be any error in any such statement contained in any such affidavit or instrument, or in any such finding of fact or adjudication contained in any such judgment of a court of record, the true facts may be proved by anyone interested in the proceedings in which any such statement, finding of fact or adjudication is offered in evidence, except that no person legally bound under the common law or any statute of this State by any such statement, finding of fact or adjudication, shall be permitted to controvert such statement, finding of fact or adjudication, and further providing that said Act shall be designated as Article 3726A, Revised Civil Statutes of Texas; and declaring an emergency."

(With amendments.)

S. B. No. 329, A bill to be entitled "An Act amending Section 16, Chapter 342, Acts of the 53rd Legislature, Regular Session, 1953, concerning the fixing of venue for appeals from orders of the State Board of Veterinary Medical Examiners; and declaring an emergency."

S. C. R. No. 54, Granting Southwest Natural Gas Company permission to sue the State of Texas.

S. C. R. No. 48, Granting A. Vincent permission to sue the State of Texas.

S. B. No. 89, A bill to be entitled "An Act amending Chapter 163, Acts of 52nd Legislature, Regular Session, 1951, H. B. 384, page 280; same being known as Article 4591 of the Revised Civil Statutes of Texas, as amended by Acts of 1893, page 4, as amended by Acts of 1911, page 52, and Acts of 1921, page 99, and by Acts of 42nd Legislature, 1931, Chapter 8, paragraph 1, page 9, by designating certain days as legal holidays on which all public offices of the State may be closed; providing for repeal of all laws in conflict therewith; providing for the effective date of such Act be declared an emergency."

(With amendment.)

S. B. No. 210, A bill to be entitled "An Act amending Chapter 314, General Laws of the 41st Legislature, Regular Session, as amended, by amending paragraph (e) of subsection (1) of Section 1a thereof, so as to clarify said paragraph (e), which excepts from the definition of 'Motor Carrier' and 'Contract Carrier,' and exempts from the provisions of such Act. any person transporting fresh iced fish or shellfish under certain circumstances and conditions; repealing conflicting laws; providing for severability; and declaring an emergency."

S. B. No. 203, A bill to be entitled "An Act to amend Article 3.04 of the Insurance Code (Acts of 1951, 52nd Leg. as amended by the Acts of 1955, 54th Leg., p. 916, ch. 363, Sec. 6) pertaining to the application, charter and organization of life, health or accident insurance companies, prescribing conditions for the granting of a charter, providing for a public hearing and the procedure for securing a charter and organization of such companies and the issues to be determined by the Board of Insurance Commissioners providing for special meetings of stockholders to elect directors under certain circumstances, providing for the election of officers and the defining of the duties and compensation thereof, requiring the directors to keep a full record of their trans-

actions, providing procedure for filling vacancies on the Board of Directors, and prescribing a quorum for the transaction of business by the Board of Directors; repealing conflicting laws and parts of laws to the extent of such conflict; and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act requiring a special audit of county records in any county upon a petition of at least thirty per cent (30%) of the qualified voters of the county; providing for the employment of an auditor for such special audit; providing for qualifications, duties and compensation; requiring such audit to be filed with the district court having jurisdiction in the county and the State Auditor; providing this Act shall be cumulative; and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act creating a State Youth Authority for the protection, care, training and parole supervision of delinquent children, and, among other things, defining its powers, duties and functions; providing an appropriation; containing a severability as to its validity; repealing certain statutes; fixing its effective date; and declaring an emergency."

(With amendments.)

S. B. No. 308, A bill to be entitled "An Act amending Section 8 of Chapter 443, Acts of the Forty-fifth Legislature, Regular Session, as amended, to include all counties in the State of Texas covered by such Act; and declaring an emergency."

(With amendment.)

S. B. No. 298, A bill to be entitled "An Act conferring concurrent jurisdiction in the County Court of Gonzales County with the Justice Courts of Gonzales County; conforming the jurisdiction of said courts; providing for appeals from the County Court; making other provisions relating to the jurisdiction of said courts; providing a severability clause; and declaring an emergency."

S. B. No. 299, A bill to be entitled "An Act diminishing the jurisdiction of the County Court of Gonzales County; transferring jurisdiction of matters of eminent domain from the County Court of Gonzales County to the Special 25th District Court of

Gonzales County and the 25th Judicial District Court of Gonzales County; etc.; and declaring an emergency."

S. C. R. No. 26, Granting Ernest O. McKinney and Oma Inez McKinney permission to sue the State.

S. C. R. No. 51, Granting C. P. Sutton and wife, Mae Sutton and the legal representatives of the estate of Franklin D. Sutton, deceased, permission to sue the State Highway Department and the State of Texas, jointly, providing for no admission of liability.

H. B. No. 70, A bill to be entitled "An Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas in cities in this state; and providing a referendum in certain instances; to define the duties, liabilities, exemptions and powers of such cities in undertaking such activities, including the power to acquire and dispose of property, to exercise the power of eminent domain, to issue bonds and other obligations and give security therefor, to levy taxes and assessments and to enter into agreements to secure Federal aid and comply with conditions imposed in connection therewith; to provide for urban renewal agencies to exercise powers hereunder if such city determines it to be the public interest; to authorize public bodies to furnish funds, services, facilities and property in aid of urban renewal projects hereunder; to authorize such cities to obtain funds therefor by the issuance of obligations, by taxation or otherwise; to provide that property of, and securities issued by such cities or by such urban renewal agencies, shall be exempt from taxation and from execution; to authorize cities to cause the repair, closing and demolition of dwellings unfit for human habitation; and to declare an emergency."

H. B. No. 231, A bill to be entitled "An Act to declare the public policy of the State of Texas with respect to public education; to provide for further study an analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and goodwill; pending such reconsideration to authorize district and county Boards of School Trustees to provide for the continua-

tion or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, goodwill and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards in certain cases; and declaring an emergency."

H. B. No. 232, A bill to be entitled "An Act exempting from compulsory attendance at integrated schools; amending Article 298, Texas Penal Code, 1925, and Article 2893, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 233, A bill to be entitled "An Act requiring that public schools shall be designated by the local Board of Trustees as either 'white,' 'negro,' or 'integrated' and requiring students to be assigned tentatively to the school provided for the race upon enrollment each year; regulating certain transfers and providing that no student shall be denied transfer from one school to another because of race or color; and declaring an emergency."

H. B. No. 414, A bill to be entitled "An Act amending Section 24 of Senate Bill No. 111 of the Second Called Session of the Forty-first Legislature, as amended; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Concurrent Resolution 67

Senator Hardeman offered the following resolution:

S. C. R. No. 67, Relating to State Building Commission and certain property in the City of Austin.

Be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, That it is the sense of the Legislature that the State Building Commission cease and desist from any further plans or purposes to acquire the property bounded on the south by East 14th St., on the east by San Jacinto St., on the north by East 15th St., and on

the west by Brazos St., and being more particularly described as being all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 and the south one-half of Lots 11 and 12, all in Block 171, Original City of Austin, Travis County, Texas, as per map or plat on file in the General Land Office, Austin, Texas, and be it further

Resolved, That the owners of said property be encouraged to use and develop said property.

HARDEMAN
HERRING
AIKIN
MOFFETT
ASHLEY
SECREST
OWEN

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the resolution was considered immediately and was adopted.

House Concurrent Resolution 43 Re-referred

On motion of Senator Herring and by unanimous consent H. C. R. No. 43 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

House Bill 325 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 325, A bill to be entitled "An Act amending Chapter 181, Acts of 1935, 44th Legislature, as amended by Chapter 373, Acts of 1937, etc., and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 325 by adding at the end of Section 1 the following:

"Provided that the number of divisions shall not exceed the number of divisions existing at the time of passage of this Act and further that the division relating to Texas Rangers shall not be abolished."

HARDEMAN
MARTIN
OWEN

The amendment was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 325 on Third Reading

Senator Aikin moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 325 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent

Bracewell	Rogers
Martin	Secrest

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Bracewell

Secrest

Senate Bill 303 with House Amendments

Senator Martin called S. B. No. 303 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lock
Ashley	Martin
Bradshaw	Moffett
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Present—Not Voting

Secrest

Absent

Bracewell	Owen
Fly	Rogers
Moore	

Senate Resolution 394

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Allen Duckworth, wife of the eminent reporter of the Dallas Morning News, and their daughter Paula and their son Allen, Jr., all of Dallas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate and the courtesy of the floor for the day.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the guests to the Members of the Senate.

House Bill 79 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up H. B. No. 79 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up H. B. No. 79 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lock
Bradshaw	Moffett
Colson	Moore
Fuller	Owen
Gonzalez	Phillips
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—7

Ashley	Parkhouse
Bracewell	Ratliff
Fly	Weinert
Martin	

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 79, A bill to be entitled "An Act to amend Chapter 325, Acts of the Fiftieth Legislature, 1947 (Vernon's Annotated Civil Statutes, Article 1269m), by amending Section 2 thereof by redefining 'Firemen' and 'Policemen'; and by amending Section 12 thereof by stopping the creation in the future of new classified positions unless established by ordinance; and by amending Section 13 thereof by providing that the results of examinations for promotion shall be published within twenty-four (24) hours; etc.; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the fol-

lowing committee amendment to the bill:

Amend House Bill 79 by striking out all of Section 7 following the colon at the end of the first paragraph and substituting in lieu thereof the following:

"Section 26(a). All firemen and policemen in the classified service shall earn a minimum of fifteen (15) working days vacation with pay in each year. In computing the length of time during which a fireman or policeman may be absent from work for the vacation provided by this section, only those calendar days during which the member would be required to work if he were not on vacation shall be counted as vacation days.

"Vacation leave may be accumulated to a total of not more than 60 working days and upon leaving the department, the employee shall be compensated by lump sum payment for accumulated vacation time."

The committee amendment was read.

Senator Hazlewood offered the following substitute for the committee amendment:

Amend House Bill 79 by striking out all of Committee Amendment No. 1 by Hardeman and substituting in lieu thereof the following:

"Amend House Bill 79 by striking out all of Section 7 following the colon at the end of the first paragraph and substituting in lieu thereof the following:

"Section 26(A). All firemen and policemen in the classified service shall earn a minimum of fifteen (15) working days vacation with pay in each year. In computing the length of time during which a fireman or policeman may be absent from work for the vacation provided by this section, only those calendar days during which the member would be required to work if he were not on vacation shall be counted as vacation days. Vacation leave may not be accumulated from year to year, except as approved by the governing body of the city.

The substitute for the committee amendment was adopted.

The committee amendment as substituted was then adopted.

Senator Hazlewood offered the fol-

lowing committee amendment to the bill:

Amend Committee Amendment No. 1 to House Bill No. 79 by striking everything after Section 7 thereof, that is by striking Section 8 and 9 thereof, and by substituting therefor the following:

"Section 8. That Section 27(a) of Chapter 325, Acts of the 50th Legislature, 1947 (Vernon's Ann. Civ. St., Article 1269m, Section 27(a)), be and the same is hereby amended to read as follows:

"Section 27(a). Provided, however, that the provisions of this Act as amended shall not apply to any city unless such city has already adopted and has in effect the provisions of this Act before the effective date of this amending Act, or unless first adopted by the governing body of said city or determined at an election at which the adoption or rejection of this Act shall be submitted. Upon receiving a petition signed by qualified voters in said city in number not less than ten per cent (10%) of the total number voting in the last preceding municipal election, the governing body of said city shall call an election within sixty (60) days after said petition has been filed with governing body. If at said election a majority of the votes cast shall favor the adoption of this Act, said governing body shall put such Act into effect within thirty (30) days after the beginning of the first fiscal year of said city after said election. The question shall be submitted for the vote of the qualified electors as follows:

'FOR the adoption of the Firemen's and Policemen's Civil Service Act'

'AGAINST the adoption of the Firemen's and Policemen's Civil Service Act.'

"When an election has been held in a city pursuant to the provisions of this Article, a petition for another such election shall not be filed for at least one year subsequent to the election so held. Nothing herein shall be construed to prevent the city concerned from adopting this Act without an election."

"Section 9. If any provision, section, part, subsection, sentence, clause, phrase or paragraph of this amending Act be declared invalid or unconstitutional, the same shall not affect any other portion or provision hereof, and all other provisions shall

remain valid and unaffected by any invalid portion, if any."

"Section 10. All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict only."

"Section 11. The importance of clarifying certain provisions of this Act, and the importance of providing for properly conducted entrance examinations and examinations for promotion for firemen and policemen in the State of Texas, and the importance of encouraging firemen and policemen to accumulate sick leave, and the importance of adequate vacations to the efficiency of firemen and policemen in Texas, and the crowded condition of the calendar create an emergency and an imperative public necessity requiring that the Constitutional Rule providing that bills shall be read on three separate days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The committee amendment was read.

On motion of Senator Hazlewood and by unanimous consent the committee amendment was withdrawn.

Senator Krueger offered the following amendment to the bill:

Amend H. B. No. 79 by adding a new section to be known as Section 27(a) to read as follows:

"Section 27(a). Provided, however, that the provisions of this Act shall not apply to any city unless first adopted by the governing body of said city or determined at an election at which the adoption or rejection of this Act shall be submitted. Upon receiving a petition signed by qualified voters in said city in number not less than ten per cent (10%) of the total number voting in the last preceding municipal election, the governing body of said city shall call an election within sixty (60) days after said petition has been filed with governing body. If at said election a majority of the votes cast shall favor the adoption of this Act, said governing body shall put such Act into effect within sixty (60) days after said election. The question shall be submitted for the vote of the qualified electors as follows:

"FOR the adoption of the Fire-

men's and Policemen's Civil Service Act."

"AGAINST the adoption of the Firemen's and Policemen's Civil Service Act."

"When an election has been held in a city pursuant to the provisions of this Article, a petition for another such election shall not be filed for at least one year subsequent to the election so held. Nothing herein shall be construed to prevent the city concerned from adopting this Act without an election."

The amendment was read.

On motion of Senator Hazlewood and by unanimous consent H. B. No. 79 was set for Special Order on Thursday, April 18, 1957, following the Morning Call.

Question—Shall the amendment by Senator Krueger to H. B. No. 79 be adopted?

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 430, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 430 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 430 was ordered not printed.

Senate Resolution 395

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 4-A class of the 12th Street Elementary School in Taylor, Williamson County, Texas, accompanied by their teacher, Mrs. W. A. Phifer and 9 mothers of these fine young students; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe

and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to their class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students, teacher and sponsors to the Members of the Senate.

Senate Bill 270 with House Amendments

Senator Weinert called S. B. No. 270 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Weinert moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Rogers

Senate Bill 456 on First Reading

Senator Kazen by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senators Kazen and Willis:

S. B. No. 456, A bill to be entitled "An Act authorizing the State Board of Education to acquire, purchase and contract for books published in Braille as are recommended suitable for use as textbooks for the education of the blind scholastics in the public school systems of Texas, pursuant to rules and regulations adopted by the State Board; providing for the administration and distribution of such books acquired under this Act or existing textbook laws; authorizing the State Board to enter agreements accepting books in Braille and instructional aids pursuant to Public Law 922, Eighty-fourth Congress; defining blindness for the purposes of this Act; providing that textbooks in Braille purchased and the costs of administration thereof pursuant to the authority of this Act shall be paid for out of the State Textbook Fund; and declaring an emergency."

To the Committee on Education.

House Bill 427 Re-referred

On motion of Senator Fly and by unanimous consent H. B. No. 427 was withdrawn from the Committee on Finance and re-referred to the Committee on Game and Fish.

Senate Bill 395 with House Amendments

Senator Wood called S. B. No. 395 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Wood moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Secrest

Senate Bill 29 with House Amendments

Senator Parkhouse called S. B. No. 29 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Secrest

Report of Standing Committee

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred H. C. R. No. 43, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HERRING, Chairman.

**House Concurrent Resolution 43
Ordered Not Printed**

On motion of Senator Herring and by unanimous consent H. C. R. No. 43 was ordered not printed.

Committee Substitute House Joint Resolution 1 on Second Reading

Senator Aikin asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 1 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up H. J. R. No. 1 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Owen
Ashley	Phillips
Bracewell	Ratliff
Bradshaw	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Willis
Kazen	Wood
Moore	

Nays—10

Colson	Lock
Fly	Martin
Hardeman	Moffett
Krueger	Parkhouse
Lane	Weinert

The President laid before the Senate on its second reading and passage to third reading:

C. S. H. J. R. No. 1, Proposing an amendment to Section 5 and 24 and authorizing a new Section of Article III of the Constitution of the State of Texas so as to provide for annual sessions of the Legislature; changing the compensation, per diem and travel expense of the members of the Legislature; authorizing temporary residence of the Lieutenant Governor and Speaker of the House in the Capitol; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

The resolution was read second time.

Senator Moore offered the following amendment to the resolution:

Amend Committee Substitute for H. J. R. No. 1, Section 2, by striking from the second paragraph the words and figures Seventy-five hundred (7500) and substituting therefor the words and figures Twelve thousand (12,000) and by changing the period at the end of the first sentence of such paragraph to a semicolon and adding the following: "provided, however, that no Legislator shall appear before any State Board, Commission or Agency for hire or pay."

The amendment failed of adoption.

Senator Willis offered the following amendment to the resolution:

Amend Committee Substitute for H. J. R. 1 by striking out lines 1 through 17 inclusive of page 2 of the printed Committee Substitute.

On motion of Senator Aikin the amendment was tabled by the following vote:

Yeas—18

Aikin	Kazen
Ashley	Krueger
Bracewell	Owen
Bradshaw	Phillips
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Wood

Nays—12

Fly	Hardeman
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Lane	Parkhouse
Lock	Ratliff
Martin	Smith
Moffett	Weinert
Moore	Willis

Absent

Colson

(President pro tempore in Chair.)

Senator Moore offered the following amendment to the resolution:

Amend H. J. R. 1 by deleting the first sentence in Sec. 24, page 2 and substituting the following:

"Members of the Legislature shall be authorized to establish the pay of the members provided such pay will not be less than one-third nor more than one-half of the salary of the Governor, and further provided that no member may appear before any State Department or agency for pay.

On motion of Senator Aikin the amendment was tabled by the following vote:

Yeas—24

Aikin	Krueger
Ashley	Lane
Bracewell	Martin
Bradshaw	Moffett
Colson	Reagan
Fly	Roberts
Fuller	Rogers
Gonzalez	Secrest
Hazlewood	Smith
Herring	Weinert
Hudson	Willis
Kazen	Wood

Nays—6

Hardeman	Owen
Lock	Parkhouse
Moore	Ratliff

Absent

Phillips

Senator Moffett offered the following amendment to the resolution:

Amend H. J. R. No. 1 by striking out the sentence beginning with "in addition" in Line 23, Page 2, down to and including the word "session" in Line 47, and also striking out the period following the word "annum" in Line 23 and substituting in lieu thereof the following:

"and expenses of office in amount and manner as determined by law."

The amendment was adopted.

Senator Moffett offered the following amendment to the resolution:

Amend H. J. R. No. 1, Page 2, by striking out the words and figures "Seven Thousand Five Hundred (\$7,500.00) Dollars" in Line 22, and substituting in lieu thereof the following words and figures:

"Four Thousand Eight Hundred (\$4,800.00) Dollars."

On motion of Senator Aikin the amendment was tabled.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The resolution as amended was passed to third reading.

**Motion to Place Committee Substitute
House Joint Resolution 1 on
Third Reading**

Senator Aikin moved that the Constitutional Rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 1 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Aikin	Moffett
Ashley	Owen
Bracewell	Phillips
Bradshaw	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Martin	Wood

Nays—8

Colson	Lane
Fly	Lock
Hardeman	Parkhouse
Krueger	Weinert

Absent

Moore

(President in the Chair.)

Reports of Standing Committee

Senator Kazen by unanimous consent submitted the following reports:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 427, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KAZEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 431, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 436, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 435, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

**House Bills Nos. 427, 431, 435 and
436 Ordered Not Printed**

On motion of Senator Ashley and by unanimous consent H. B. No. 427 was ordered not printed.

On motion of Senator Lock and by unanimous consent H. B. Nos. 431, 435 and 436 were ordered not printed.

House Bill 391 on Second Reading

On motion of Senator Hudson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 391, A bill to be entitled "An Act amending Chapter 218, Acts 1949, 51st Legislature, as amended by Chapter 304, Acts 1951, 52nd Legislature, providing for two year terms of park commissioners of eligible counties and adding a new section providing that any bonds issued under said chapter shall be authorized by the Commissioners' Court of the county; providing a severability clause and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 391 on Third Reading

Senator Hudson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 391 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Moore

House Bill 4 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up H. B. No. 4 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up H. B. No. 4 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Nays—3

Bradshaw	Herring
Fly	

Absent

Moore

Ratliff

The President laid before the Sen-

ate on its second reading and passage to third reading:

H. B. No. 4, A bill to be entitled "An Act to amend Section 177 of the Election Code of the State of Texas (Article 12.02 of Vernon's Texas Election Code); providing the manners of filling vacancies in the offices of United States Senator and Congressman-at-Large; and declaring an emergency."

The bill was read second time.

Question—Shall H. B. No. 4 be passed to third reading?

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 70, To the Committee on State Affairs.

H. B. No. 329, To the Committee on State Affairs.

H. B. No. 414, To the Committee on Banking.

H. B. No. 561, To the Committee on Banking.

H. B. No. 904, To the Committee on Water and Conservation.

H. B. No. 233, To the Committee on State Affairs.

H. B. No. 232, To the Committee on State Affairs.

H. B. No. 231, To the Committee on State Affairs.

House Bill 65 Re-referred

On motion of Senator Willis and by unanimous consent H. B. No. 65 was withdrawn from the Committee on Education and re-referred to the Committee on State Affairs.

Senate Bill 457 on First Reading

Senator Hardeman by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent

Moore

Ratliff

The following bill was then introduced, read first time and referred to the committee indicated:

By Senators Hardeman, Aikin, Herring, Bradshaw, Moffett, Lane, Ashley and Owen:

S. B. No. 457, A bill to be entitled "An Act to prohibit the acquisition of certain land by the State Building Commission, prohibiting the appropriation of money to pay the cost of acquiring such land, and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 458 on First Reading

Senator Gonzalez by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Ashley	Krueger
Bracewell	Lane
Bradshaw	Lock
Colson	Martin
Fly	Moffett
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

Absent

Moore

Ratliff

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Gonzalez:

S. B. No. 458, A bill to be entitled "An Act authorizing the Commissioners' Court of all counties in the State of Texas having a population of five hundred thousand (500,000) inhabitants, or more, according to the last preceding or any future Federal census, to issue negotiable bonds of such county, and to levy and collect taxes in payment thereof, for the purpose of paying the cost of making any surveys and acquiring any maps and plats, which such Commissioners' Court is authorized to cause to be made and to acquire under the provisions of Article 7344 of the 1925 Revised Civil Statutes of Texas; providing that the Commissioners' Court of any such county may also cause to be furnished the assessor and collector of taxes of such county, block books showing the description of each block and subdivision, and the names of the record owners of each parcel of property therein, where known, and other information relative thereto to assist the assessor and collector of taxes in the performance of his duties, and authorizing such Commissioners' Court to issue negotiable bonds of such county to pay the cost of such block books and the compiling of such information and to levy and collect taxes in payment of such bonds; providing that such negotiable bonds shall be obligations of and a charge against the county, and that the tax levied to pay the principal of and interest on such bonds as such principal and interest becomes due shall be levied pursuant to the authority of Article 8, Section 9 of the Constitution of the State of Texas, as amended, for general fund purposes; and making certain incidental provisions with reference to such bonds and with reference to the issuance thereof; providing that the provisions of this act are in addition to all the powers given by and are cumulative of all other provisions of the laws of the State of Texas on the same subject; providing a savings

clause to the effect that if any provision of this Act shall be held invalid, the other provisions are not affected, and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Concurrent Resolution 68 on First Reading

Senator Aikin by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent

Moore

Ratliff

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 68, Granting Houston Turner permission to sue the State of Texas.

Whereas, Houston Turner alleges that he is the owner of a certain tract of land purchased by him in the year 1954, located in Cass County, Texas, on U. S. Highway No. 59, at about two miles East of Linden, on a portion of which he operates a service station; and

Whereas, The said Houston Turner alleges that the State Highway Commission on or about May 1, 1955, made or caused to be made certain changes in said Highway No. 59 in front of or adjacent to his said service station by the construction of cer-

tain islands in the right-of-way, which changes have caused him substantial financial loss; and

Whereas, The said tract of land alleged to be owned by the said Houston Turner is alleged to be more fully described as follows to wit:

Four acres of land, more or less, in Cass County, Texas, described in the deed to Houston Turner, recorded in volume 306, page 102, of the deed records of Cass County, Texas, a part of the James Clark HR survey, Cass County, Texas, and

Beginning at the northwest corner of the Simmons tract and the northeast corner of this tract a stake in the south boundary line of U. S. 59, about 1½ miles east of Linden;

Thence south with west boundary line of Simmons tract 473 feet to southeast corner of this tract and the northeast corner of L. C. Skelton tract a rock for corner;

Thence west with the south boundary line of this tract at 358 ft. to corner;

Thence north 65° east 246 ft. to stake in south line in said U. S. 59 right-of-way;

Thence north 60° east with south right-of-way line of said highway at 669 ft. the place of beginning and containing four acres of land.

Now, therefore be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the said Houston Turner, be and he is hereby, given permission to sue the State of Texas in any court of competent jurisdiction in Cass County, Texas, to determine whether or not the State of Texas is liable for any damages for the acts hereinabove alleged, with respect both to the period of time prior to and subsequent to this resolution; and be it further

Resolved, That service of citation and other legal process shall be served upon both the Chairman of the State Highway Commission and upon the Attorney General of the State of Texas. Service of process upon these two officers shall have the same force and effect as the service of process upon a defendant in any other civil case, according to the Rules of Civil Procedure as promulgated and adopted by the Supreme Court of Texas; and be it further

Resolved, That any party to the

suit shall have the right of appeal as is provided for in other civil cases; and, be it further

Resolved, That the sole purpose of this resolution is to grant permission to the said Houston Turner, to bring suit against the State of Texas. No admission of liability or of any fact is made in any way by the passage of this resolution; but on the contrary, it is specifically provided that the facts upon which the said Houston Turner seeks to recover must be proved in court as in other civil cases; and be it further

Resolved, That any and all defenses which the State of Texas may have shall be pleaded by the State, and none of the defenses which the State of Texas may have are in any way waived by the passage of this resolution.

To the Committee on Jurisprudence.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
April 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 453, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PARKHOUSE, Chairman.

Senator Secrest by unanimous consent submitted the following report:

Austin, Texas,
April 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred H. B. No. 561, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Chairman.

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
April 17, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 171, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

OWEN, Chairman.

Special Notice

Senator Herring gave notice that he would on Tuesday, April 23, 1957, move to suspend the necessary rules to take up for consideration S. B. No. 312.

Adjournment

Senator Kazen moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Senator Secrest moved that the Senate stand adjourned until 10:30 o'clock a.m. on Tuesday, April 23, 1957.

Question first on the motion by Senator Secrest, the motion was lost.

Question next on the motion by Senator Kazen, the motion prevailed.

Accordingly, the Senate at 5:30 o'clock p. m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
John Marion Ferguson

Senator Moore offered the following resolution:

(Senate Resolution 382)

Whereas, In the passing of John Marion Ferguson, on April 2, 1957, the people of Brazos County and Texas lost one of its most beloved and outstanding citizens; and

Whereas, John Marion Ferguson was tax collector for Brazos County, elected in 1924 and serving continuously through the calendar year of 1932. In 1935 he was elected as County Judge and served through the 1938 term; and

Whereas, Judge John Marion Ferguson was born in Harvey, September 18, 1878, Judge Ferguson was educated in the public schools of the county and in Bryan. He married Miss Nellie Jones of Harvey and they established their home in Bryan; and

Whereas, Judge Ferguson is survived by his wife and three children, one daughter, Mrs. Randolph Marble of Encino, California and two sons, J. M. Ferguson, Jr., and Charles W. Ferguson, both of Fort Worth; five sisters, Miss Lillian E. Ferguson of Bryan, Mrs. C. S. Goen and Mrs. Kelso Adams both of San Marcos, Mrs. Mary E. Williamson, Pasadena, Mrs. W. B. Barron of Dallas; one brother, Paul L. Ferguson of Dallas; seven grandchildren and two great-grandchildren; now, therefore, be it

Resolved, That it is the desire of the Senate of the Fifty-fifth Legislature to pay tribute to this great citizen and his family; and be it further

Resolved, That when the Senate adjourns today it do so in his memory and that a page in the permanent Senate Journal be devoted to the recording of this resolution; and, be it further

Resolved, That enrolled copies of this resolution be forwarded to the surviving members of his family as a token of respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Hugh A. L. Halff

Senator Gonzalez offered the following resolution:

(Senate Resolution 383)

Whereas, Our heavenly Father, in His infinite Wisdom, did call from his earthly labors, Hugh A. L. Halff, of San Antonio, Texas; and

Whereas, Mr. Halff was president of Southland Industries, Inc., owners and operators of WOAI and WOAI-TV, and was the first to bring television to San Antonio, served two terms on the board of directors of the National Assn. of Broadcasters. At the time of his death, he was president of the Blanco Oil Co., owner of The General Insurance Agency, a director of W. K. Ewing Co., Inc., mortgage bankers and vice-president of South Texas Properties Co.; and

Whereas, Mr. Halff served on the board of the Alamo Council, Boy Scouts of America, Texas Mid Continent Oil and Gas Assn., Independent Petroleum Assn. of America, San Antonio Chamber of Commerce, Jewish Social Service Federation, and was a member of the National Sponsor Committee of the Albert Einstein College of Medicine and the Texas Good Neighbor Commission; and

Whereas, He was a life member of the San Antonio Livestock Exposition, Inc., a member of the Hospital Building Fund, a member of the board of the Santa Rosa Children's Hospital Foundation, the board of the Community Chest, a member of the San Antonio River Beautification Commission, and a director of the National Conference of Christian and Jews, Inc., and had also been a vice president of the Associated Employers; and

Whereas, Mr. Halff attended Phillips Exeter Academy in Exeter, N. H. and Yale University; and after leaving Yale, he became associated with A. B. Frank Company and in 1929, joined his uncle, the late G. A. C. Halff, founder of WOAI; and

Whereas, He is survived by his wife, Mrs. Catherine Harding; two children, Hugh Jr. and Catherine; his mother, Mrs. Henry L. Halff, all of San Antonio, and his sister, Mrs. Arnold S. Askin of New York City; and

Whereas, It is the desire of the Senate to pay tribute to the memory of this fine public-spirited citizen who contributed so much to his city, State, and especially the City of San Antonio; now, therefore, be it

Resolved, By the Senate of Texas, that we extend our sincere sympathy to the family of Hugh A. L. Halff; that a copy of this resolution be sent to each member of his family; and that a page in today's Journal be devoted to his memory; and that when the Senate adjourns today, it do so in memory of Hugh A. L. Halff.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Dr. Douglas McCardell Hale

Senator Colson offered the following resolution:

(Senate Resolution 384)

Whereas, On July 19, 1956 the illustrious career of a beloved "country doctor" came to a close with the untimely passing of Dr. Douglas McCardell Hale of Coldspring, San Jacinto County, Texas; and

Whereas, In the death of Dr. Hale, Texans witnessed the going of one whose footsteps marked service and progress on every path he chose to travel, whether in the medical profession, in civic enterprises, in religious councils or in public office; and

Whereas, Dr. Hale was born in Camilla, Texas, on June 16, 1902, and after graduating from Livingston High School and receiving his medical education at the Tulane Medical School in New Orleans, he returned to the county of his birth where he devoted his entire professional life to the welfare of people of Coldspring, Shepherd, the county and the surrounding area, treating patients at their convenience, using every available means of conveyance, including a wagon, horse and boat to reach the more isolated ones; never seeing any contradiction between being a man of science and being a Christian; and

Whereas, Dr. Hale allowed various facets of his routine work to be televised in the hope that some young person might see the need and be inspired to a career of medical service in rural areas; and

Whereas, Dr. Hale was a friendly individual and was personally acquainted with practically every one of the 10,000 residents of San Jacinto County in which he had practiced for the past 28 years, the last 15 of which he had been the only doctor in the county; and

Whereas, He drove himself beyond the strength of human energy to minister to the sick and the needy and to leave his community a better place than he found it, the people of San Jacinto County paid a merited tribute to him by designating him "Man of His Generation"; and

Whereas, In spite of his busy schedule, Dr. Hale found time to serve as County Health officer for the past 18 years; a deacon, teacher and Sunday School Superintendent in the Coldspring Baptist Church; President of the School Board; Chairman of the Red Cross and Cancer Fund Drives; President of the San Jacinto County Civic organization; Charter member of the Polk-San Jacinto Medical Association; Director of the East Texas Chamber of Commerce; member of the Executive Council of the Trinity-Neches District of Boy Scouts; President of the Coldspring Lions Club; Worshipful Master of the Mount Moriah Masonic Lodge; District Deputy Grand Master of the Twenty-seventh Masonic District of Texas; he is a 32nd-Degree Mason, a member of the Arabia Temple Shrine and President of the Trinity Valley Shrine Club; and

Whereas, Texas has sustained an irreparable loss in the passing of this good and noble man who filled all the years allotted him with devoted service to his State, his family and his friends; now, therefore, be it

Resolved, By the Senate of the 55th Legislature of the State of Texas, that we extend our sincere and heartfelt sympathy to his esteemed family and that we express appreciation for his valuable services by directing that a page in the Journal be set aside as a memorial to him; and, be it further

Resolved, That official copies of this resolution be sent to his wife, Mrs. Anna Louise Tenney Hale; his daughter, Miss Martha Ann Hale; his son, Douglas Leighton Hale, all of Coldspring, Texas; to his two sisters, Miss Bessie Hale of Camilla, Texas and Mrs. Maggie Murchison of Palestine, Texas; and to his brother, W. D. Hale of Camilla, Texas; and that when the Senate adjourns today, it do so in solemn tribute to Dr. Douglas McCardell Hale, whose dedicated life and charitable deeds will live long in the memory of this State and his multitude of friends.

The resolution was read and was adopted by a rising vote of the Senate.